

11. (Previously presented) The method according to claim 8, wherein said selection step comprises a demultiplexing step of demultiplexing said result and said register address to said selected register files in response to said corresponding indication.

REMARKS

Entry of this amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-11 are pending and stand rejected.

Claims 1-11 stand rejected under 35 USC 103(a) as being unpatentable over Tremblay (WO 00/33178) in view of Hirosawa (USP no 4,975,836) in view of Dictionary of IEEE, 2000, 7th Edition, page 494. The Office Action states the "[i]t would have been obvious to one of ordinary skill ... to use Hirosawa in Tremblay for including the selection of register files as claimed because the use of Hirosawa could provide Tremblay the ability to designate a predefined set of registers based on a given system conditions and therefore, increasing the adaptability of the storage access control in Tremblay and it could be done by configuring the selection circuit of Hirosawa into Tremblay with modified control parameter so that the specific selection of the register files of Hirosawa could be recognized by Tremblay and because Tremblay also taught that his local register were addressed in a local register range outside the global register range (see abstract), which was an indication of the need of the selection of a specific register group to accept address range outside the global range in order to provide enhanced flexibility of the storage control, and in doing so, provided a motivation." (Office Action, item 7, pp. 5-6).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

Tremblay, discloses a VLIW processor including a plurality of functional units which include a plurality of separate register file segments, each being associated with one of the functional units. The register file segments are partitioned into local registers and global registers, wherein the global registers are written/read by all the functional units and the local registers are written/read only by the associated functional unit. Tremblay describes, with reference to Figure 6, that the global registers are addressed

using addresses 0-95, while the local registers having addresses 96-127, 128-159, 160-191 and 192-223, respectively, may be addressed using 7 bits (0-127). Tremblay further teaches that registers addressed 0-95 may be accessed substantially concurrently in each register file, and registers, in the address range 96-127, are addressed with regard to a specific register file (see page 13, lines 4-17). The local registers for each of the M register file segments are addressed using the same B-bit values. However, Tremblay fails to teach a register allocation means for selecting at least two register files when the instruction word comprises a corresponding indication and the indication contains information regarding which of the register files are to be selected, as is recited in the claims. Rather, Tremblay teaches that a unit may write to either all the register files or an associated register file based on the address of the register.

Hirosawa discloses a virtual machine system possessing a processor operating as a base machine, which includes a plurality of groups of registers, which are selected according to identification data identifying individual virtual machines. (see Abstract). Hirosawa, further discloses, using the contents of an S-REG to provide a single VM identification reference. (see col. 10, lines 46-55, which state, in part, "[w]hen both the H and V bits of the mode register are '1', the signals of the signal line 1721 and 1722 become '1' and the signal output from the AND circuit through the signal line 176 becomes '1'. At this time, the selection circuit sends to the decoder DEC the VM number that is sent from S-REG through the line 175").

Hirosawa, accordingly, teaches a circuit for selecting a memory based on the value stored in a designated register (i.e., S-Reg).

With regard to obviousness, the courts have found that "[t]he very ease with which the invention can be understood may prompt one to fall victim to the ... effect of a hindsight syndrome wherein that which only the invention taught is used against its teacher." Iron Grip Barbell Company v. USA Sports, Inc., 04-1149 (Fed.Cir. 2004), (quoting In re Kotzab, 217 F.3d 1365, 1369 (Fed. Cir. 2000). "Where an invention is contended to be obvious ... our cases require that there be a suggestion, motivation or teaching ... for such a combination." Id. (quoting In re Fine, 837, F.2d 1071, 1074 (Fed. Cir. 1988). "This requirement prevents the use of 'the inventor's disclosure as a blueprint

for piecing together the prior art to defeat patentability -- the essence of hindsight.” Id. (quoting Ecolochem, Inc. v. So. Cal. Edison Co., 227 F.3d 1361, 1371-1372 (Fed. Cir. 2000), quoting In re Dembiczak, 175 F. 3d 994, 999 (Fed. Cir. 1999).

Contrary to the statements made in the Office Action, the use of local register addressing outside the global address range, taught by Tremblay fails to provide motivation to incorporate the selection register of Hirosawa. Rather, the incorporation of Hirosawa into Tremblay would increase the complexity of the Tremblay as Tremblay would be required to incorporate a register access circuit that converts an address into a register designation. Hence, the additional complexity of the combined device would not provide motivation to a skilled artisan to develop a device that is more complex than the original device.

Hence, in this case, applicant believes that the teachings of the instant application have been impermissibly used as a blueprint to combine the teachings of Tremblay and Hirosawa without any suggestion or reason for such combination from either reference.

Furthermore, Hirosawa fails to teach an "indication in said instruction word, wherein said indication providing information for selecting which of said at least two register files," as is recited in the claims. Rather, Hirosawa teaches providing information for selecting a single file and provides no motivation for selecting at least two register files.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

Hence, even if it could be assumed that that there was some motivation to combine the teachings of the cited references, which applicant believes does not exist, the combined device would not render obvious the subject matter recited in claim 1, for example, as the combined device fails to recite all the elements recited in the claims.

Having shown that the combination of Tremblay and Hirosawa fails to render

unpatentable the subject matter claimed because the teachings of the cited references fail to provide motivation to combine them and even if the respective teachings were combined all the elements claimed would not be disclosed, applicant submits that the reason for the rejection has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to independent claim 8, this claim recites subject matter similar to that recited in claim 1 and has been rejected for the same reason used in rejecting claim 1. For the remarks made with regard to claim 1, which are applicable and reasserted, as if in full, herein, applicant submits that claim 8 includes subject matter not rendered unpatentable by the cited references. Applicant respectfully requests withdrawal of the rejection and allowance of claim 8.

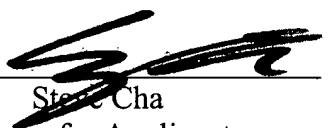
With regard to claims 2-7 and 9-11, these claims depend from claims 1 and 8, which have been shown to be allowable over the cited reference. Accordingly, claims 2-7 and 9-11 are also allowable by virtue of their dependency upon an allowable base claim. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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